IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WP(C).No. 15550 of 2007(A)

PETITIONER:

K.R.GIRIJADEVI,
W/O.UDAYABHANU, AGED 52 YEARS, HEADMISTRESS,
GOVERNMENT HIGHER SECONDARY SCHOOL,
ELANKUNNAPUZHA
RESIDING AT `UDAYAGIRI', PALACHUVADU,
KAKKANAD P.O., ERNAKULAM DISTRICT.

BY ADV. SRI.C.K.PAVITHRAN

RESPONDENTS:

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1. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.

2. DEPUTY DIRECTOR OF EDUCATION,
ERNAKULAM.

BY GOVERNMENT PLEADER SRI.LAKSHMI RANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.15550 OF 2007

Dated this the 30th day of May, 2007

JUDGMENT

Petitioner is stated to be working as Headmistress in the Government Higher Secondary School, Elankunnapuzha in Ernakulam district. She seeks a transfer to one of the schools nearby her residence. It is the contention of the petitioner that she had pointed out three vacancies in Ext.P1 and yet another vacancy in Ext.P2. But the department did not consider her request favourably. It is also contended by her that one of her juniors has been posted at Vennala which was one of the stations preferred by the petitioner. Yet another vacancy is due to arise in Government Higher Secondary School at Tripunithura. Therefore, petitioner has submitted Ext.P4 representation before respondent No.1 requesting him to give her a posting in that station. Petitioner apprehends that the department may ignore her legitimate claim and appoint someone else. Petitioner has a specific case that she is entitled to get a transfer to a station of her choice because of her seniority.

2. I do not propose to consider the merit of the above contentions, in view of the limited prayer made by the learned counsel at the Bar. He submits that petitioner will be satisfied, if an appropriate direction is issued to respondent No.1 to consider and pass orders on Ext.P4 expeditiously, at any rate, before any fresh transfer appointments are made. Learned Government Pleader submits that an appropriate decision on Ext.P4 will be taken without any delay if such a direction is issued.

3. In the above facts and circumstances, writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P4 strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment. Respondent No.1 may ensure that fresh orders of transfer appointment, to the extent possible, are issued only after considering Ext.P4. Needless to mention that the petitioner shall be afforded sufficient opportunity to be heard before any decision is taken on Ext.P4. Petitioner shall

produce a copy of the writ petition and a certified copy of the judgment before respondent no.1 for compliance.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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